



**US Army Corps  
of Engineers**  
Louisville District ®

# Joint Public Notice

Public Notice No.  
LRL-2015-00059-kjs

Open Date:  
14 Aug 2017

Close Date:  
11 Sept 2017

Please address all comments and inquiries to:  
U.S. Army Corps of Engineers, Louisville District  
ATTN: Kimberly J. Simpson CELRL-RDN, Rm 752  
P.O. Box 59  
Louisville, Kentucky 40201-0059

Phone: (502) 315-6691

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA) and for State Water Quality Certification pursuant to Section 401 of the CWA from the Indiana Department of Environmental Management, Office of Water Quality.

**APPLICANT:** Perry County Development Corporation  
601 Main Street, Suite A  
Tell City, Indiana 47586

**AGENT:** Redwing Ecological Services, Inc.  
1139 South Fourth Street  
Louisville, Kentucky 40203

**LOCATION:** In streams and wetlands on the existing Waupaca Foundry property located at 9856 State Highway 66 in Tell City, Perry County, Indiana.

Latitude: 37.9867  
Longitude: -86.7712  
7.5 Minute Quad: Tell City, Indiana

**PURPOSE:** To expand the existing manufacturing facility that supplies iron castings serving multiple industries.

**DESCRIPTION OF WORK:** The applicant requests authorization to discharge fill material into 0.16 acre of forested wetland, and 0.22 acre of emergent wetland, a 0.13 acre pond, 2,033 linear feet (0.19 acre) of perennial stream, 960 linear feet (0.07 acre) of intermittent stream, and 4,134 linear feet (0.18 acre) of ephemeral stream to facilitate the construction of 104.7-acre proposed foundry expansion project. The project would include the expansion of an existing storage area, construction of two 15-acre building pads for material handling, connector roads, and associated infrastructure.

**AVOIDANCE, MINIMIZATION MEASURES:** The applicant did consider four off site alternatives for the project. Each of these sites were eliminated since they would impact similar amounts of streams and they do not offer the advantage of being adjacent to the existing facility and may not have existing utilities, while the proposed onsite location provides safety and emergency benefits not available at the offsite locations. The applicant did consider onsite design alternatives to reduce impacts. Specifically, by adjusting the original design layout, the applicant

was able to avoid 292 linear feet of perennial stream, 1,051 linear feet of intermittent stream, 2,049 linear feet of ephemeral stream, and 0.64 acre of wetland.

MITIGATION MEASURES: The applicant proposes to provide compensation for unavoidable impacts to waters of the United States through permittee responsible mitigation both onsite and offsite through re-establishment, rehabilitation, preservation, enhancement, and establishment activities (*see Table 1*).

**Table 1. *Proposed Mitigation***

| <b>Waterbody Type</b>   | <b>Activity</b>  | <b>Amount</b> |
|---|------------------|---------------|
| Intermittent Stream   | Re-establishment | 1,518 lft     |
| Intermittent Stream   | Rehabilitation   | 2,973 lft     |
| Ephemeral Stream  | Rehabilitation   | 3,134 lft     |
| Ephemeral Stream  | Preservation     | 85 lft        |
| Ephemeral Stream  | Enhancement      | 394 lft       |
| Forested Wetland  | Restoration      | 1.26 acre     |
| Buffer Zone <i>along intermittent stream re-establishment</i>                                       | Establishment    | 3.1 acres     |
| Buffer Zone <i>along intermittent and ephemeral stream rehabilitation and ephemeral enhancement</i> | Establishment    | 10.45 acres   |

Channel morphological dimensions, stream habitat, and riparian vegetation would be monitored annually until success criteria have been met. The wetland mitigation areas would be monitored for proper hydrology, woody and wetland vegetation, invasive species, and site stability. The applicant proposes to monitor the mitigation areas for five years, at which it will be determined whether success criteria have been met. Once the mitigation areas are released from monitoring by the Corps, a deed restriction would be placed on the mitigation areas.

It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should

be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

A Phase I archaeological survey was performed and one previously unrecorded archaeological site was documented, but not recommended for listing in the National Register of Historic Places by the cultural resource consultant. The Corps will be in consultation regarding a determination of effect of the proposed project on cultural resources with the State Historic Preservation Office.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Mission/Regulatory.aspx>. All comments regarding this proposal should be addressed to Kimberly J. Simpson, CELRL-RDN at the address noted above and should refer to the Public Notice Number LRL-2015-00059-kjs.

If you desire to submit your comments by email, you must comply with the following:

a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2015-00059-kjs

Example:

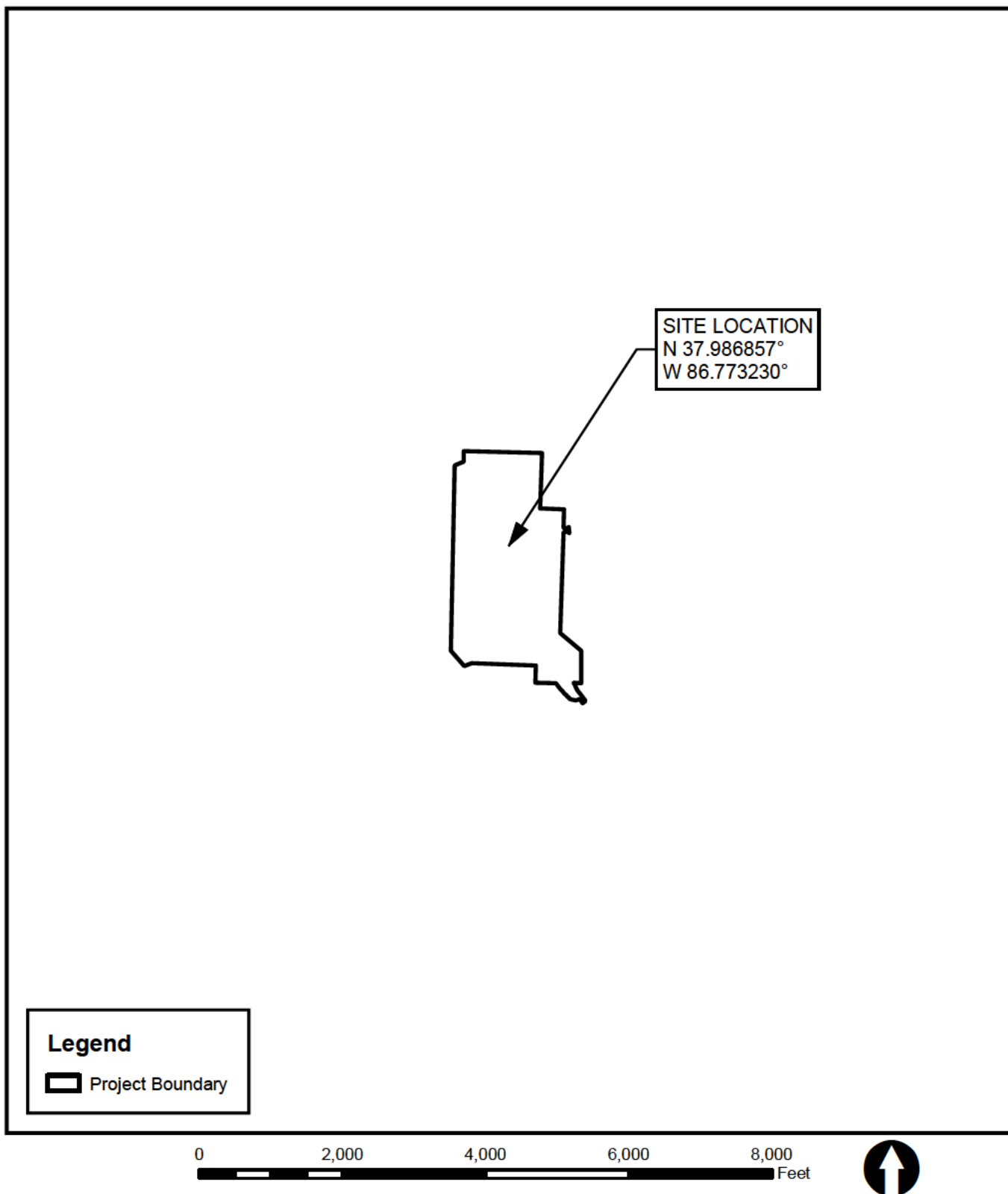
Subject: LRL-2015-00059-kjs

b) Provide your physical mailing address and telephone number.

c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)

d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.

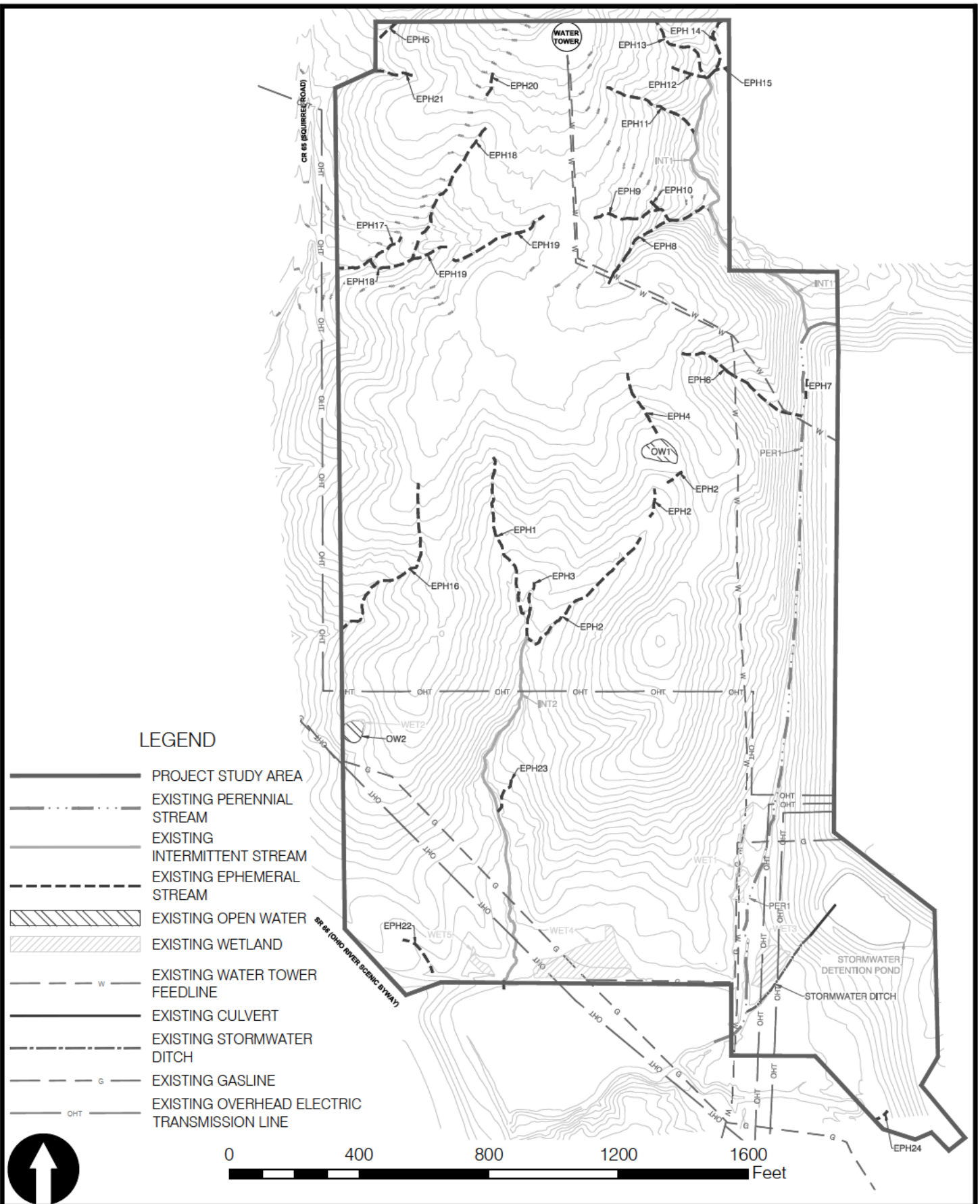
Source: USGS 7.5-minute Topographic Map - Fulda and Tell City, Indiana Quadrangles.



WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION  
PERRY COUNTY, INDIANA



PROJECT SITE LOCATION  
LRL-2015-00059-KJS

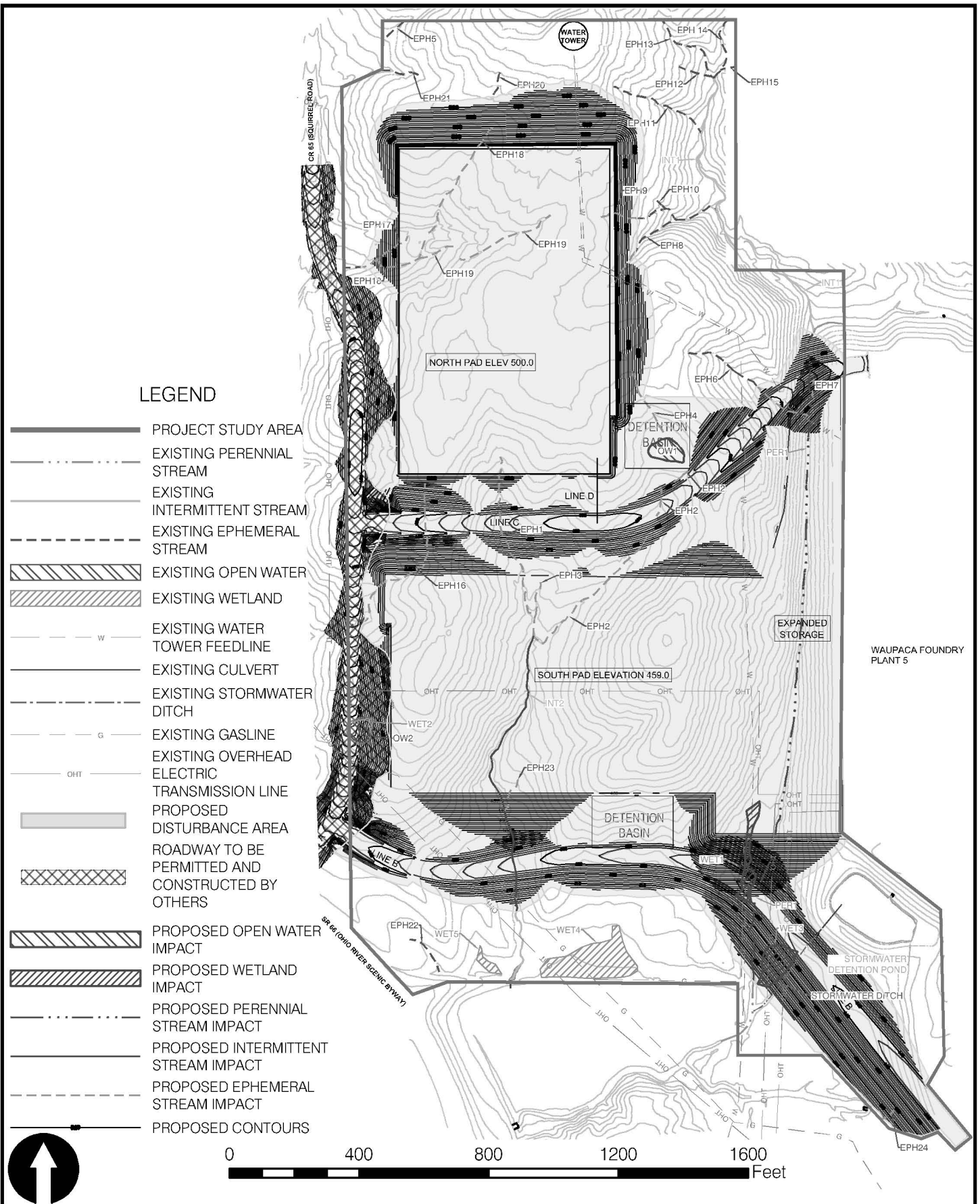


WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION PROJECT  
PERRY COUNTY, INDIANA



WATER/WETLAND  
LOCATION MAP  
LRL-2015-00059-kjs





WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION PROJECT  
PERRY COUNTY, INDIANA



PROJECT SITE  
DEVELOPMENT PLAN  
/WATER WETLAND  
LOCATION MAP  
LRL-2015-00059-kjs

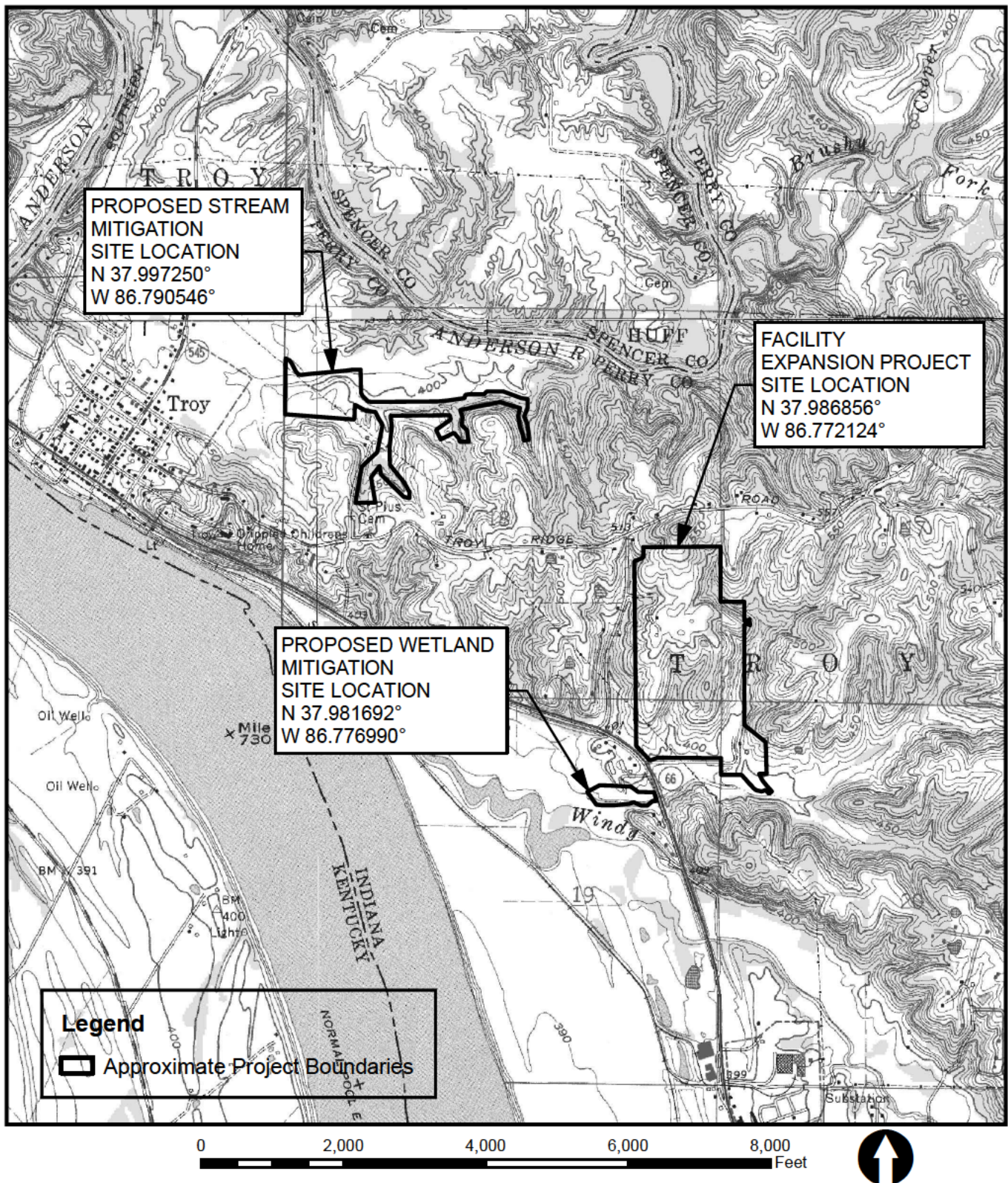
FIGURE 3 OF 8

REVISED DATE: 07-19-17

DRAWN BY: BMB



Source: USGS 7.5-minute Topographic Map; Fulda and Tell City, Indiana Quadrangles.

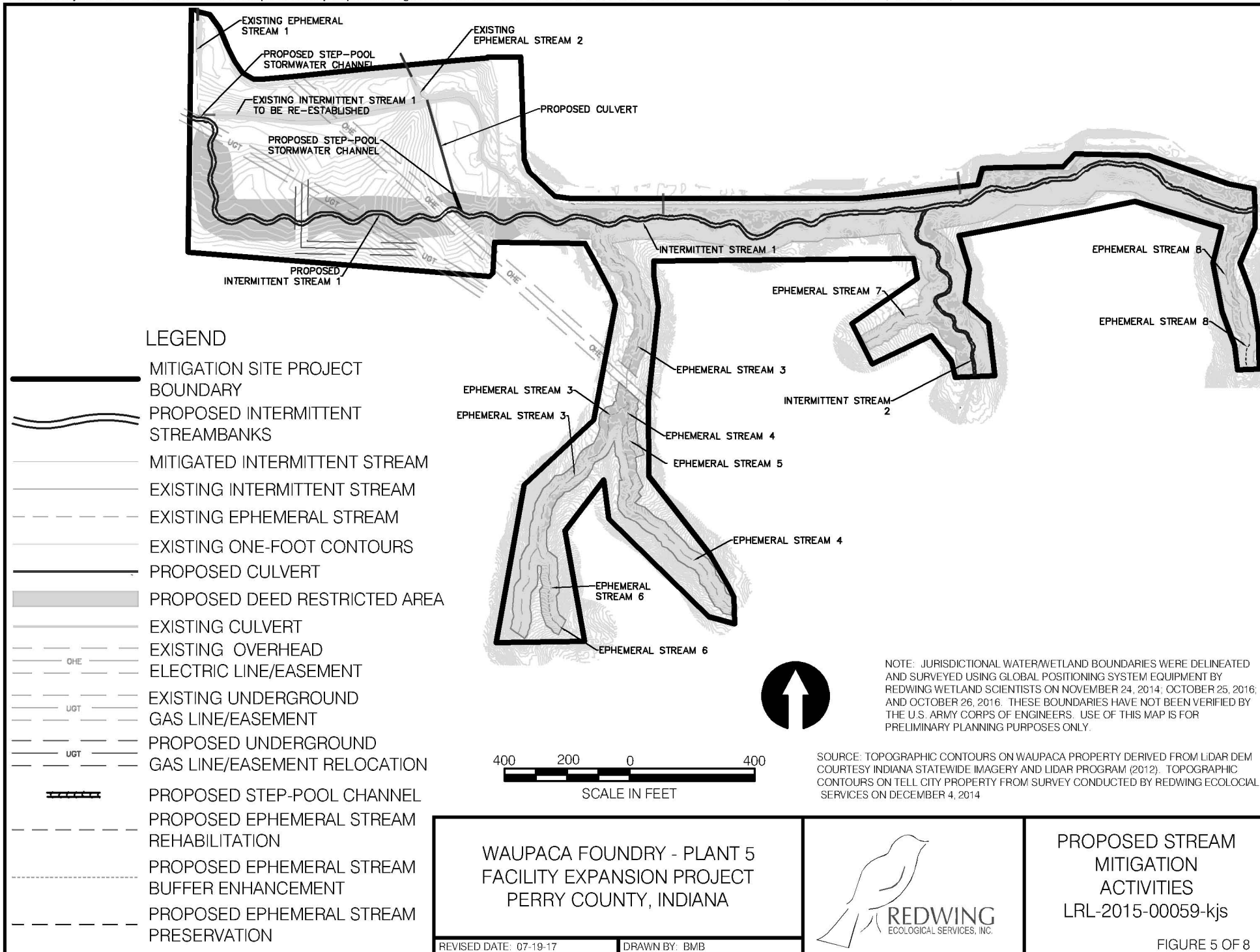


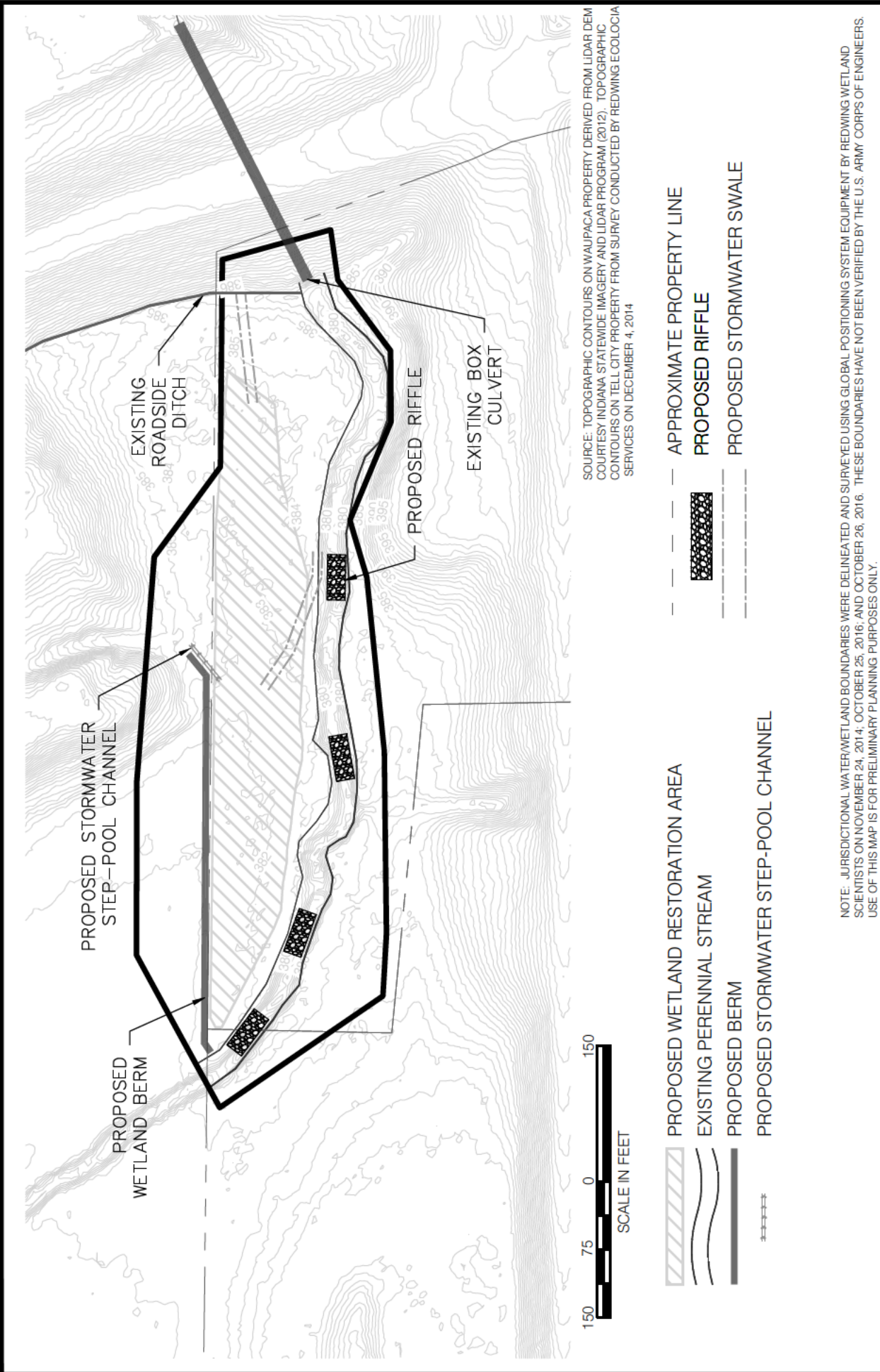
WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION PROJECT  
PERRY COUNTY, INDIANA



PROPOSED SITE AND  
MITIGATION AREA  
LOCATION MAP  
LRL-2015-00059-kjs







NOTE: JURISDICTIONAL WATER/WETLAND BOUNDARIES WERE DELINEATED AND SURVEYED USING GLOBAL POSITIONING SYSTEM EQUIPMENT BY REDWING WETLAND SCIENTISTS ON NOVEMBER 24, 2014; OCTOBER 25, 2016; AND OCTOBER 26, 2016. THESE BOUNDARIES HAVE NOT BEEN VERIFIED BY THE U.S. ARMY CORPS OF ENGINEERS. USE OF THIS MAP IS FOR PRELIMINARY PLANNING PURPOSES ONLY.

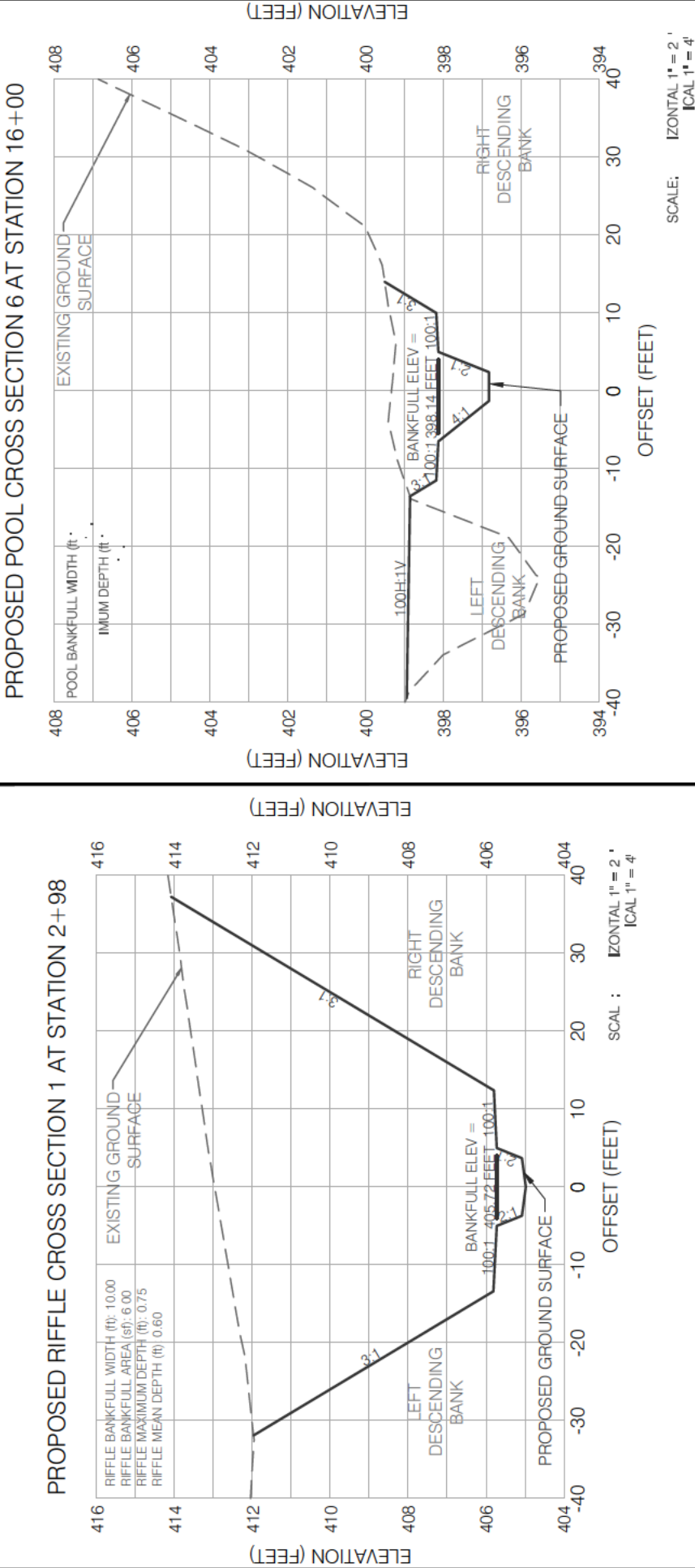


WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION PROJECT  
PERRY COUNTY, INDIANA



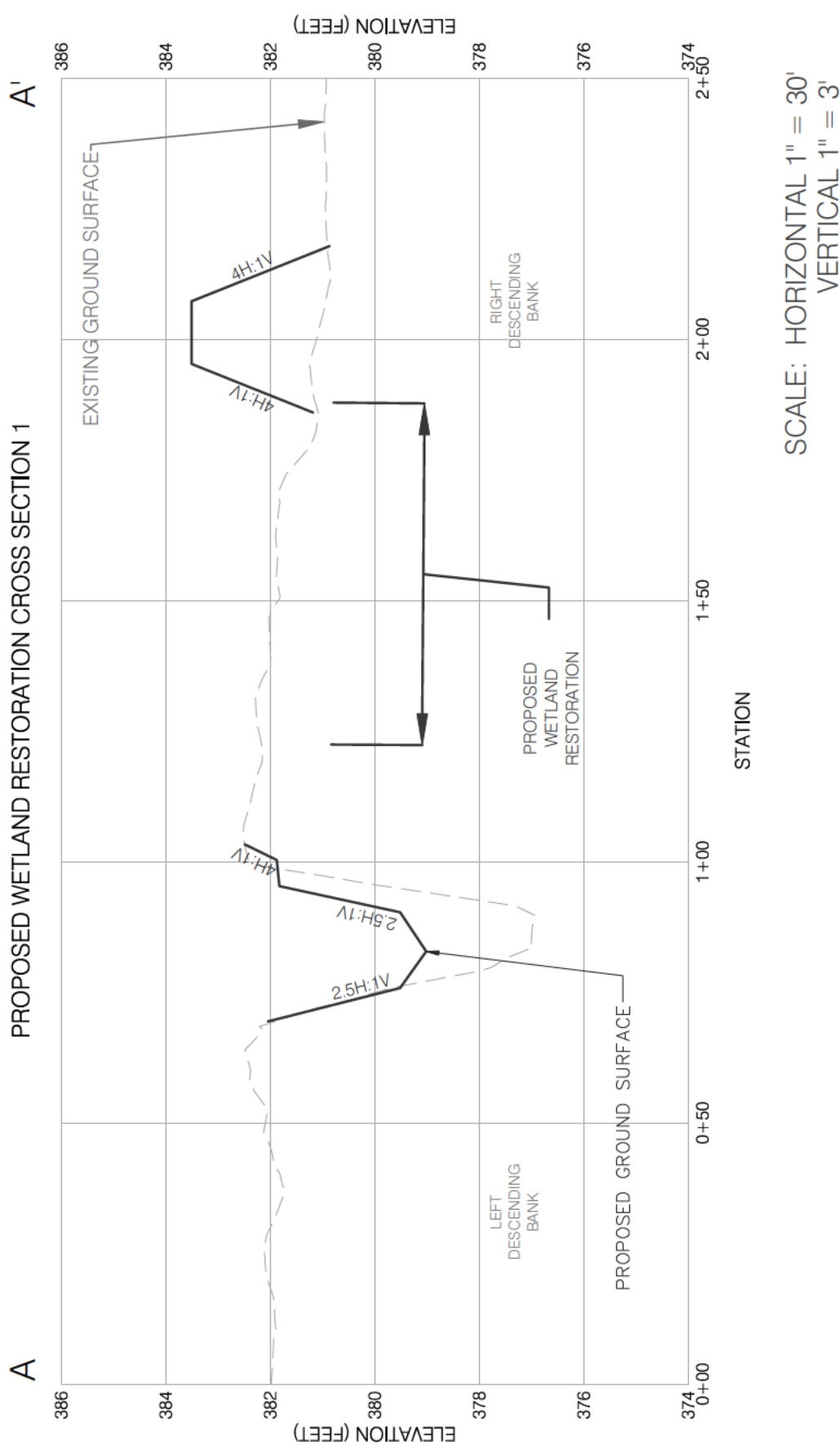
PROPOSED WETLAND  
MITIGATION  
ACTIVITIES  
LRL-2015-00059-kjs

CROSS SECTIONS ARE VIEWED LOOKING  
DOWNSTREAM/UPSTATION.



WAUPACA FOUNDRY - PLANT 5  
FACILITY EXPANSION PROJECT  
PERRY COUNTY, INDIANA

PROPOSED TYPICAL  
STREAM MITIGATION  
CROSS SECTIONS  
LRL-2015-00059-kjs



|   |                                  |   |
|---|----------------------------------|---|
| <p>WAUPACA FOUNDRY - PLANT 5<br/>FACILITY EXPANSION PROJECT<br/>PERRY COUNTY, INDIANA</p> | <p>ECOLOGICAL SERVICES, INC.</p> | <p>PROPOSED TYPICAL<br/>WETLAND MITIGATION<br/>CROSS SECTION<br/>LRL-2015-00059-kjs</p> |
|   |                                  |   |